

1AP20 Rec'd PCT/PTO 08 FEB 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alain MOUSSY et al.
Title: USE OF C-KIT INHIBITORS FOR TREATING TYPE II DIABETES
Int'l. Appl. No.: PCT/IB2004/002934
Int'l. Filing Date: 8/16/2004
Examiner: Unassigned
Art Unit: Unassigned

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

10/567557

Atty. Dkt. No. 065691-0434

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RELEVANCE OF EACH DOCUMENT

The documents being cited in the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding international application. A copy of the International Search Report is attached setting forth the portion of the documents considered relevant by the examiner. A copy of the cited references listed in the Search Report are not being submitted herewith.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 8 February 2006

By S. B. Maebius

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: February 8, 2006 <i>(use as many sheets as necessary)</i>				Complete if known 20/567557	
Application Number	Unassigned				
Filing Date	February 8, 2006				
First Named Inventor	Alain MOUSSY				
Group Art Unit	Unassigned				
Examiner Name	Unassigned				
Attorney Docket Number	065691-0434				

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
/KW/	A1	EP	0 934 931 A		SUGEN INC.	8/11/1999		
↓	A2	WO	01/64200 A		Robert Charles ATKINS et al.	9/7/2001		
↓	A3	WO	2004/105763 A		Robert Per HAEGERKVIST et al.	12/9/2004		
↓	A4	WO	2004/014903 A		Marco CIUFOLINI et al.	2/19/2004		
↓	A5	WO	2004/098612 A		Alain MOUSSY et al.	11/18/2004		
/KW/	A6	WO	2004/076693 A		Alain MOUSSY et al.	9/10/2004		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
/KW/	A7	MA Y et al., "INDOLINONE DERIVATIVES INHIBIT CONSTITUTIVELY ACTIVATED KIT MUTANTS AND KILL NEOPLASTIC MAST CELLS", Journal of Investigative Dermatology, New York, NY US, Vol. 114, No. 2, February 2001, pp. 392-394.	
/KW/	A8	Y. ZERMATI et al., "Effect of tyrosine kinase inhibitor STI571 on the kinase activity of wild-type and various mutated neoplasms", ONCOGENE, BASINGSTOKE, HANTS, GB, vol. 22, 2003, pp. 660-664.	

Examiner Signature	/Kevin Weddington/ (08/15/2008)	Date Considered	08/15/2008
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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